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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. SLRE.103540

First Inventor Stoller, Jerry H.

Title Controlling Plant ...

Express Mail Label No. EL529856359US

U.S. PTO
10/677708
22264

100203

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 54]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 4]
5. Oath or Declaration [Total Sheets 4]
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ Paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:

Prior application information:


Examiner

Art Unit:

For CONTINUATION OF DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☐ Customer Number: OR ☒ Correspondence address below

Name	Walter R. Brookhart				
Address	Shook, Hardy & Bacon LLP 600 Travis, Suite 1600				
City	Houston	State	TX	Zip Code	77002
Country	U.S.A.	Telephone	(713) 227-8008	Fax	(713) 227-9508
Name (Print/Type)	Walter R. Brookhart	Registration No. (Attorney/Agent)	29,518		
Signature		Date	10/2/03		

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

FEE TRANSMITTAL for FY 2004

Patent fees are subject to annual revision.
Small Entity payments must be supported by a small
entity statement, otherwise large entity fees must be
paid. See Forms PTO/SB/09-12.
37 CFR §§ 1.27 & 1.28

Complete if Known

FEE TRANSMITTAL for FY 2004 Patent fees are subject to annual revision. Small Entity payments <u>must</u> be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. 37 CFR §§ 1.27 & 1.28		<i>Application Number</i>	
		<i>Filing Date</i>	October 2, 2003
		<i>First Named Inventor</i>	Stoller, Jerry H.
		<i>Examiner Name</i>	
		<i>Group / Art Unit</i>	
Total Amount of Payment	\$ 1,130.00	<i>Attorney Docket No.</i>	SLRE.103540

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:
 Deposit Account No.: 19-2112
 Deposit Account Name:
Shook, Hardy & Bacon, L.L.P.
- ☒ Charge any additional Fee Required Under 37 CFR §§ 1.16 & 1.17
- ☐ Charge the Issue Fee Set in 37 CFR § 1.18 at the Mailing of the Notice of Allowance
2. ☐ Payment Enclosed: ☐ Check ☐ Money Order ☐ Other

FEE CALCULATION

1. Basic Filing Fee

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
\$690	\$345	Utility Filing Fee	\$ 385.00
\$310	\$155	Design Filing Fee	\$
\$480	\$240	Plant Filing Fee	\$
\$690	\$345	Reissue Filing Fee	\$
\$150	\$ 75	Provisional Filing Fee	\$
Subtotal (1)			\$385.00

2. Extra Claim Fees

Claims	Extra	Fee (below)	Fee Paid
Total <u>70 - 20** =</u>	50	x \$ 9	= \$ 450.00
Indep. <u>8 - 3** =</u>	5	x \$ 43	= \$ 215.00
Multiple Dependent			\$
**or number previously paid, if greater.			
For Reissues, see below			
Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	
\$ 18	\$ 9	Claims in excess of 20	
\$ 78	\$ 39	Independent claims in excess of 3	
\$ 260	\$ 130	Multiple dependent claim, if not paid	
\$ 78	\$ 39	**Reissue independent claims over original patent	
\$ 18	\$ 9	**Reissue claims in excess of 20 and over original patent	
Subtotal (2)			\$ 665.00

FEE CALCULATION (continued)

3. Additional Fees

Large Entity	Small Entity	Fee Description	Fee Paid
\$ 130	\$ 65	Surcharge - late fee or oath	\$
\$ 50	\$ 25	Surcharge - late provisional filing fee or cover sheet	\$
\$2,520	\$2,520	Request for Reexamination	\$
\$ 110	\$ 55	Extension for reply within first month	\$
\$ 380	\$ 190	Extension for reply within second month	\$
\$ 870	\$ 435	Extension for reply within third month	\$
\$1,360	\$ 680	Extension for reply within fourth month	\$
\$1,850	\$ 925	Extension for reply within fifth month	\$
\$ 300	\$ 150	Notice of Appeal	\$
\$ 300	\$ 150	Filing a brief in support of an appeal	\$
\$ 260	\$ 130	Request for oral hearing	\$
\$ 110	\$ 55	Petition to revive - unavoidable	\$
\$1,210	\$ 605	Petition to revive - unintentional	\$
\$1,210	\$ 605	Utility issue fee (or reissue)	\$
\$ 430	\$ 215	Design issue fee	\$
\$ 580	\$ 290	Plant issue fee	\$
\$ 130	\$ 130	Petitions to the Commissioner	\$
\$ 50	\$ 50	Petitions related to provisional applications	\$
\$ 240	\$ 240	Submission of Information Disclosure Statement	\$
\$ 690	\$ 345	Filing a submission after final rejection (37 CFR 1.129(a))	\$
Other fee (specify): Recording each patent assignment per property (times number of properties)			\$ 80.00
Other fee (specify): _____			\$
Subtotal (3)			\$ 80.00

Submitted by



Walter R. Brookhart, Reg. No. 29,518

Date: 2 Oct. 2003

Express Mail No. EL529856359US

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October 2, 2003

Mail Stop Patent Application
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Via Express Mail
EL 529856359 US

Re: Our Ref.: SLRE.103540/02
United States Patent Appln. No.
Inventor: STOLLER, Jerry H.
Title: Controlling Plant Pathogens and Pests
with Applied or Induced Auxins

Dear Sir:

Enclosed herewith are the following documents:

- Original Application comprising
 - Specification;
 - Claims;
 - Drawings; and
 - Declaration and Power of Attorney;
- Utility Patent Application Transmittal form;
- Fee Transmittal for FY 2003 form in duplicate;
- Assignment with Assignment Recordation Form Cover Sheet;
and
- a self-addressed postal card to acknowledge receipt of the
foregoing submissions.

The Commissioner is authorized to charge Deposit Account No. 19-2112 for any fees which may be required in connection with this filing. This authorization is made in duplicate.

Respectfully submitted,



Walter R. Brookhart

WRB
Enclosures

CERTIFICATE OF EXPRESS MAILING-37 C.F.R. § 1.10

I hereby certify that this correspondence and all referenced enclosures are being deposited by me with the United States Postal Service, as Express Mail with Receipt No. **EL529856359US** in an envelope addressed to Mail Stop Patent Application, Commissioner for Patents, P. O. Box 1450, Alexandria, VA., 22313-1450 on October 2, 2003.

By: _____


Walter R. Brookhart